

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6791 OF 2005

WITH

CIVIL APPLICATION NO. 3328 OF 2005

The Principal, Janseva Shikshan Mandal, & Anr. ...
Petitioners

V/s.

The University of Mumbai & Anr. ...
Respondents

Mr. R.S. Apte with Mr. A.A. Garge for the Petitioners

Mr. R.A. Rodrigues for Respondent No. 1

Mrs. M.P. Thakur, Assistant Government Pleader,
for Respondent No. 2.

CORAM: KSHITIJ R. VYAS, C.J., &
DR.D.Y.CHANDRACHUD,J.

DATE: MARCH 13, 2006.

P.C.:-

1. During the course of the hearing, the following consensus
has been arrived at between the parties without prejudice to
their rights and contentions:-

(1) In case the Vice Chancellor takes a decision in favour of the petitioners, the impugned order dated 2nd June, 2005 issued by respondent No. 1, University of Mumbai, shall be substituted by an order passed by the Vice Chancellor as per clause (2) below.

(2) The Vice Chancellor shall, after giving full opportunity of hearing to the petitioners, take a decision on the subject- matter of the petition within four weeks from today, by passing a reasoned order.

(3) Respondent No.1 to refund the amount to the petitioners, which is deposited by the petitioners by Demand Draft bearing No.713044 dated 19th December, 2005 amounting to Rs.4,11,216/-, drawn on State Bank of India, Murbad Branch, towards alleged recovery and fine, within a period of one week from the decision of the Vice Chancellor, if the decision is in favour of the petitioners. The petitioners shall be at liberty to challenge the same if it is adverse to them.

2. The petition accordingly stands disposed of.

3. The Civil Application also stands disposed of.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD,J.